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TELEPHONE: (312) 616-5600

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DATE: JULY 25, 2006**NUMBER OF PAGES (INCLUDING
THIS FAX TRANSMITTAL SHEET):** 5**LVM REFERENCE:** 225593

FROM: JAMES B. MUSKAL**REGISTRATION NO.** 22,797

TO: MAIL STOP AF
UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

FAX NUMBER: (571) 273-8300

IN RE APPLN. OF: LUBOMYR M, CYMBALISTY
APPLICATION NO. 10/736,485
FILED: DECEMBER 15, 2003
FOR: HYDRODYNAMIC STATIC MIXING APPARATUS FOR USE THEREOF IN
TRANSPORTING, CONDITIONING AND SEPARATING OIL SANDS AND THE
LIKE

ATTORNEY DOCKET: 225593

ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:

NOTICE OF APPEAL IN DUPLICATE (4 PAGES)

A confirmation copy of the transmitted document will:

Not be sent. This will be the only form of delivery of the transmitted document.

The information contained in this fax transmission is intended only for the use of the individual or entity named above and those properly entitled to access to the information and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If the reader of this transmission is not the intended or an authorized recipient, you are hereby notified that any unauthorized distribution, dissemination, or duplication of this transmission is prohibited. If you have received this transmission in error, please immediately notify us by telephone or fax. Thank you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/736,485

Applicant: Lubomyr M. Cymbalisty

Filed: December 15, 2003

TC/AU: 1723

Examiner: SORKIN, David L.

Docket No.: 225593

Customer No.: 23460

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

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JUL 25 2006

**NOTICE OF APPEAL FROM THE
 EXAMINER TO THE
 BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed January 25, 2006, rejecting the following claims: 1, 14-15.

1. Pre-Appeal Brief Request for Review

A "Pre-Appeal Brief Request for Review" is filed concurrently herewith or is not being filed.

2. Status of Applicants

This application is on behalf of other than a small entity or a small entity.

3. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: other than a small entity or a small entity.

Notice of Appeal Fee due \$250.00

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	Jasmin Diaz		
Signature	Jasmin Diaz	Date	July 25, 2006

07/26/2006 TL0111 00000007 121216 10736485

01 FC:2401 250.00 DA

Application No. 10/736,485

Notice of Appeal

4. Extension of Time

- Applicants petition for a three-month extension of time under 37 CFR 1.136, the fee for which is \$510.00.
- An extension for three-month has already been secured and the fee paid therefore of \$510.00 is deducted from the total fee due for the total amounts of extension now requested.
- Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$ 0.00**5. Total Fee Due**

The total fee due is:

Notice of Appeal Fee	\$ 250.00
Extension Fee (if any)	\$ 0.00

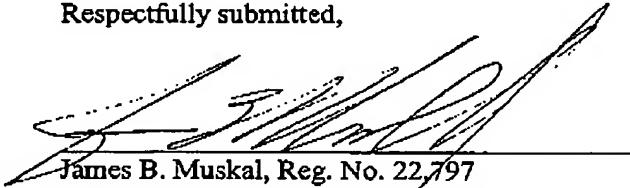
Total Fee Due: \$250.00**6. Fee Payment**

- Attached is a check in the sum of \$ Charge Account No. 12-1216 the sum of \$250.00. A duplicate of this transmittal is attached.

7. Fee Deficiency

- If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,



James B. Muskal, Reg. No. 22,797
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Date: July 25, 2006

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